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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
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7 JACQUELINE CHORNEY,  
8 Plaintiff,  
9 v.  
10 HIJA et al.,  
11 Defendants.

Case No. 2:18-cv-00254-RFB-PAL  
ORDER

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13 This action is a *pro se* civil rights complaint filed under 42 U.S.C. § 1983 by a  
14 former City of Las Vegas inmate. On January 16, 2019, this Court issued an order  
15 directing Plaintiff to file her updated address with this Court within thirty (30) days. (ECF  
16 No. 6). The thirty-day period has now expired, and Plaintiff has not filed her updated  
17 address or otherwise responded to the Court's order.

18 District courts have the inherent power to control their dockets and "[i]n the  
19 exercise of that power, they may impose sanctions including, where appropriate . . .  
20 dismissal" of a case. *Thompson v. Hous. Auth. of City of Los Angeles*, 782 F.2d 829, 831  
21 (9th Cir. 1986). A court may dismiss an action, with prejudice, based on a party's failure  
22 to prosecute an action, failure to obey a court order, or failure to comply with local rules.  
23 See *Ghazali v. Moran*, 46 F.3d 52, 53-54 (9th Cir. 1995) (dismissal for noncompliance  
24 with local rule); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal  
25 for failure to comply with an order requiring amendment of complaint); *Carey v. King*, 856  
26 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for failure to comply with local rule requiring  
27 *pro se* plaintiffs to keep court apprised of address); *Malone v. U.S. Postal Service*, 833  
28 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with court order); *Henderson*

1 *v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of prosecution and  
2 failure to comply with local rules).

3 In determining whether to dismiss an action for lack of prosecution, failure to obey  
4 a court order, or failure to comply with local rules, the court must consider several factors:  
5 (1) the public's interest in expeditious resolution of litigation; (2) the court's need to  
6 manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring  
7 disposition of cases on their merits; and (5) the availability of less drastic alternatives.  
8 *Thompson*, 782 F.2d at 831; *Henderson*, 779 F.2d at 1423-24; *Malone*, 833 F.2d at 130;  
9 *Ferdik*, 963 F.2d at 1260-61; *Ghazali*, 46 F.3d at 53.

10 In the instant case, the Court finds that the first two factors, the public's interest in  
11 expeditiously resolving this litigation and the Court's interest in managing the docket,  
12 weigh in favor of dismissal. The third factor, risk of prejudice to Defendants, also weighs  
13 in favor of dismissal, since a presumption of injury arises from the occurrence of  
14 unreasonable delay in filing a pleading ordered by the court or prosecuting an action. See  
15 *Anderson v. Air West*, 542 F.2d 522, 524 (9th Cir. 1976). The fourth factor – public policy  
16 favoring disposition of cases on their merits – is greatly outweighed by the factors in favor  
17 of dismissal discussed herein. Finally, a court's warning to a party that her failure to obey  
18 the court's order will result in dismissal satisfies the "consideration of alternatives"  
19 requirement. *Ferdik*, 963 F.2d at 1262; *Malone*, 833 F.2d at 132-33; *Henderson*, 779  
20 F.2d at 1424. The Court's order requiring Plaintiff to file her updated address with the  
21 Court within thirty (30) days expressly stated: "IT IS FURTHER ORDERED that, if Plaintiff  
22 fails to timely comply with this order, the Court shall dismiss this case without prejudice."  
23 (ECF No. 6 at 2). Thus, Plaintiff had adequate warning that dismissal would result from  
24 her noncompliance with the Court's order to file her updated address within thirty (30)  
25 days.

26 IT IS THEREFORE ORDERED that this action is dismissed without prejudice  
27 based on Plaintiff's failure to file an updated address in compliance with this Court's  
28 January 16, 2019, order.

1 IT IS FURTHER ORDERED that the application to proceed *in forma pauperis*  
2 (ECF No. 5) is denied as moot.

3 IT IS FURTHER ORDERED that the Clerk of Court will enter judgment accordingly  
4 and close the case.

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6 DATED this 22nd day of February, 2019.

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9 RICHARD F. BOULWARE, II  
10 UNITED STATES DISTRICT JUDGE  
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